

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Garland Leon Hinton

Docket No. 2:01-CR-18-1BO

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Garland Leon Hinton, who, upon an earlier plea of guilty to Distribution of Cocaine Base (Crack Cocaine) and Aiding and Abetting, 21 U.S.C. § 841 (a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on March 13, 2002, to the custody of the Bureau of Prisons for a term of 200 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Garland Leon Hinton was released from custody on September 11, 2015, at which time the term of supervised release commenced.

On June 30, 2016, a Petition for Action was submitted to the court advising that the defendant was arrested and charged with Driving While Impaired and Driving While License Revoked Not Impaired Revocation (16CR50819) in Pasquotank County, North Carolina. As a result of the violation, the defendant was ordered to complete 60 days of home detention.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 3, 2016, the defendant was cited in Pasquotank County, North Carolina, for Driving While License Revoked Not Impaired Revocation (16CR701279) by the Elizabeth City Police Department. When confronted by the undersigned probation officer on July 6, 2016, the defendant admitted he drove to the store to purchase cigarettes and expressed sincere remorse for his conduct. On July 6, 2016, the defendant tested positive for cocaine, which was confirmed through laboratory analysis on July 13, 2016. Hinton signed an admission of use form on July 25, 2016.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days (in addition to the 60 ordered on June 30, 2016). The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

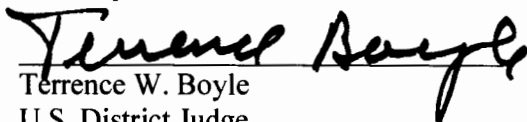
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: July 25, 2016

ORDER OF THE COURT

Considered and ordered this 25 day of July, 2016, and ordered filed and
made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge